

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
JUN 30 2010

[Signature]
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES NAAB,

Defendant.

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CR 09-40105-09

ORDER

Pending before the Court is the Defendant's Plea Agreement, Factual Basis Statement, and Supplement to Plea Agreement. A hearing to take the plea was held before the Magistrate Judge on June 10, 2010, and Judge Simko issued a Report and Recommendation accepting the plea, and recommending to this Court that the Defendant be adjudged guilty as charged in the Second Superseding Indictment with Conspiracy to Distribute and Possess with Intent to Distribute a Controlled Substance in violation of 21 U.S.C. §§ 841(a)(1) and 846. After a careful review of the file, and the parties having waived their right to object to the Report and Recommendation,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation is ADOPTED by the Court, and the Defendant James Naab is adjudged guilty.

Dated this 30th day of June, 2010.

BY THE COURT:

[Signature]
Lawrence L. Piersol

United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY:

[Signature]
DEPUTY